

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jun 29, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ZEUS ANTHONY TURNER,  
  
Petitioner,

v.

WASHINGTON STATE,  
  
Respondent.

No. 4:20-cv-05023-SMJ

**ORDER DISMISSING ACTION**

On February 10, 2020, Petitioner Zeus Anthony Turner, while a prisoner at the Coyote Ridge Corrections Center, filed a *pro se* Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus By a Person in State Custody. ECF No. 1. Petitioner neither paid the filing fee nor submitted a completed Application to Proceed without Prepayment of Fees as required by Rule 3(a) of the Rules Governing Section 2254 Cases in the United States District Courts.

By letter dated February 10, 2020, the Clerk's Office advised Petitioner of these deficiencies. ECF No. 2. The Clerk's Office provided him with an application form to proceed without prepayment of fees to complete and return. *Id.* Petitioner has not complied with this directive and has filed nothing further.

On May 15, 2020, this Court ordered Petitioner to submit a completed

1 Application to Proceed without Prepayment of Fees within **thirty days** of the date  
2 of that Order. ECF No. 3. In the alternative, Petitioner was advised he could pay the  
3 full \$5.00 filing fee. *Id.* Petitioner was cautioned that his failure to do so would  
4 result in the dismissal of this case. *Id.* Petitioner has neither paid the filing fee nor  
5 returned the Application to Proceed without Prepayment of Fees by the due date of  
6 June 15, 2020.

7 Accordingly, **IT IS HEREBY ORDERED:**

- 8 **1.** This action is **DISMISSED** without prejudice for failure to pay the  
9 filing fee or comply with the *in forma pauperis* requirements of  
10 Rule 3(a) of the Rules Governing Section 2254 Cases in the United  
11 States District Courts.

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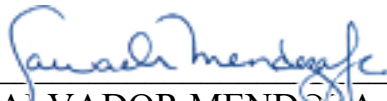
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1           **2.**     The Court certifies that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal  
2           from this decision could not be taken in good faith and there is no basis  
3           upon which to issue a certificate of appealability. *See* 28 U.S.C.  
4           § 2253(c); Fed. R. App. P. 22(b). A certificate of appealability is  
5           therefore **DENIED**.

6           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,  
7           enter judgment, provide copies to *pro se* Petitioner at his last known address and  
8           **CLOSE** the file.

9           **DATED** this 29<sup>th</sup> day of June 2020.

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11                                 \_\_\_\_\_  
                                  SALVADOR MENDOZA, JR.  
                                  United States District Judge